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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/884,416	06/18/2001	Fong Fang Shen	50325-0537 (3943)	3181
29989	7590	04/07/2004	EXAMINER	
HICKMAN PALERMO TRUONG & BECKER, LLP			KNOWLIN, THJUAN P	
1600 WILLOW STREET			ART UNIT	
SAN JOSE, CA 95125			PAPER NUMBER	

2642

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DATE MAILED: 04/07/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/884,416

Applicant(s)

SHEN ET AL.

Examiner

Thjuan P Knowlin

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 18 June 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)               | Paper No(s)/Mail Date. _____  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>2</u> .   | 6) <input type="checkbox"/> Other: _____                                    |

## DETAILED ACTION

### ***Claim Rejections – 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claims 1-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Bowman-Amuah (US 6,542,593).
2. In regards to claims 1, 9, 11, 12, 13, 14, 15, and 17, Bowman-Amuah discloses a method, computer-readable medium, and apparatus of automating the provisioning of network services for customer premises equipment of a subscriber in a next generation digital telecommunications network (col. 12-13 lines 60-17, col. 14-15 lines 49-11, and col. 52 lines 39-54), the method comprising the steps of: receiving a service request from a network service provider that specifies a service to be provided to the customer premises equipment (col. 9 lines 3-10 and col. 13-14 lines 58-2); retrieving a configuration template for a configuration appropriate for the customer premises equipment; allocating and reserving at least one resource associated with the customer premises equipment; generating configuration data for the customer premises equipment based on the configuration template and stored system configuration

information; delivering the configuration data over the network to the customer premises equipment to result in provisioning the customer premises equipment to provide the service (col. 13 lines 18-28, col. 12 lines 42-45, and col. 12-13 lines 60-17).

3. In regards to claims 2, 4, 5, 18, and 20, Bowman-Amuah discloses the method and apparatus, wherein the customer premises equipment is an ADSL router, wherein the network is an asynchronous transfer mode (ATM) network, and wherein the step of generating configuration data includes the step of allocating and reserving an IP address and fully qualified domain name for each of a plurality of permanent virtual circuits associated with communications among the network and the router (col. 3 lines 45, col. 13 lines 39-40, and col. 45 lines 43-59).

4. In regards to claims 3 and 19, Bowman-Amuah discloses the method and apparatus, wherein the configuration service request comprises information uniquely identifying the customer premises equipment, information identifying one or more permanent virtual circuits assigned by the service provider to the customer premises equipment; and access control data (col. 24 lines 21-42 and col. 26 lines 4-15).

5. In regards to claims 6, 10, and 16, Bowman-Amuah discloses a method and apparatus, wherein the step of generating configuration data includes the steps of: allocating and reserving one or more network addresses respectively associated with one or more communication channels between the network and the customer premises equipment by communicating with a dynamic host control protocol server (col. 4 lines 27-38); allocating and reserving one or more fully qualified domain names respectively associated with one or more communication channels between the network and the

customer premises equipment by communicating with a domain name service server (col. 22 lines 33-43 and col. 50 lines 3-8).

6. In regards to claims 7 and 8, Bowman-Amuah discloses a method, further comprising the steps of: creating and storing updated configuration data in response to receiving a request to update provisioning of the customer premises equipment; generating a request to a proxy element of a network access device to update the provisioning to the customer premises equipment (col. 46 lines 23-43).

### ***Conclusion***

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Bowman-Amuah (US 6,556,659) teaches a service level management in a hybrid network architecture.


8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thjuan P Knowlin whose telephone number is (703) 308-1727. The examiner can normally be reached on Mon-Fri 8:00-4:30pm.

9. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar can be reached on (703)305-4731. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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10. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Thjuan P. Knowlin  
March 31, 2004

  
**AHMAD MATAR**  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600